

II. INTRODUCTION

Petition History

On July 28, 2000, the Fish and Game Commission (Commission) received a petition from the Salmon and Steelhead Recovery Coalition to list the coho salmon (*Oncorhynchus kisutch*) north of San Francisco as an endangered species under provisions of the California Endangered Species Act (CESA). The Commission reviewed the petition for completeness, and pursuant to Section 2073 of the California Fish and Game Code (FGC), referred the petition to the Department of Fish and Game (Department) on August 7, 2000, for evaluation. The Department had a 90-day period to review the petition and make one of the two following findings:

- Based upon the information contained in the petition, there was sufficient evidence to indicate that the petition action may be warranted and the petition should be accepted and considered; or
- Based upon the information contained in the petition, there was not sufficient evidence to indicate that the petition action may be warranted, and the petition should not be accepted and considered.

On November 9, 2000, the Department requested a 30-day extension to complete the evaluation and recommendation. At the Commission meeting on December 8, 2000, in Eureka, the Department received an extension for consideration of the petition, which postponed the Department's presentation and recommendation, and the public comments at that time. They were rescheduled to be heard at the February 2, 2001, meeting in Sacramento.

On February 2, 2001, the Commission received the Department's evaluation report, recommendation, and public testimony. The Department found that the information in the petition was sufficient to indicate the action may be warranted and recommended the Commission accept the petition. Due to the lack of a quorum, no action was taken, and the matter was rescheduled until the next Commission meeting. The Notice of Receipt of petition was published February 23, 2001, in the California Regulatory Notice Register.

At the Commission meeting in Monterey on April 5, 2001, the Commission again received the Department evaluation report, recommendation, and public testimony, and the petition was accepted by the Commission. On April 27, 2001, the Commission published a Notice of Findings in the California Regulatory Notice Register declaring coho salmon a candidate species, thereby starting the candidacy period. A candidate species is defined as a native species or subspecies of bird, mammal, fish, amphibian, reptile, or plant the Commission has formally noticed as being under review by the Department for addition to either the list of endangered species or the list of threatened species. The Commission also adopted a special order pursuant to FGC Section 2084, to provide for incidental take of coho salmon during the candidacy period.

Department Review

This report contains the results of the Department's review, and its recommendations to the Commission. It is based on the best scientific information available. It also contains the Department's recommendation about whether the petitioned action is warranted. Further, it identifies habitat that may be essential to the continued existence of the species and suggests prudent management activities and other restoration actions.

The Department contacted affected and interested parties, invited comment on the petition, and requested any additional scientific information that may be available, as required under FGC Section 2074.4. The Department produced a public notice (Appendix A1) and distributed it by mail on July 17, 2001, to as many affected and interested parties as was practicable. Appendix A2 contains a list of individuals, organizations, and agencies contacted. Newspapers that published the public notice during August 14-16, 2001, are shown in Appendix A3.

A press release was issued by the Department on July 24, 2001 (Appendix A4). To attempt to obtain and review all available information on coho salmon, a letter was drafted and sent by mail on September 24, 2001, to scientific collecting permit holders (Appendix A5). The permit holders contacted (Appendix A6) were those who may have done work on coho salmon, or worked in the area covered by the status review. The information collected assisted greatly in the assessment of the status of coho salmon for this review.

A draft version of this document was provided to several qualified experts for Peer Review. The list of experts and their comments are shown in Appendices B1 and B2.

Previous Coho Salmon Listing Actions

State of California Listing Actions

On February 24, 1993, a petition was received by the Commission from Santa Cruz County Fish and Game Advisory Commission (County) requesting the listing of coho salmon on Waddell and Scott creeks under CESA. The Department recommended rejecting the petition, explaining that the two stocks were not reproductively isolated from the nearby streams, and, therefore, limiting the listing to just these two populations¹ was unwarranted.

On the August 5, 1993 meeting, the Commission requested that the County prepare a draft recovery plan to be submitted at the October 7, 1993, meeting thus postponing any action on the petition until that time.

At the October meeting, the Department stated conditional support for the County's draft recovery plan, but again recommended rejection of the petition for the reasons previously given, and because it would not improve the condition of coho south of San Francisco. The County officially withdrew the petition. They submitted a new, revised petition covering the coho salmon streams south of San Francisco Bay to the Commission on December 16, 1993. After

¹ The term "population" is defined for the purposes of this document on page 35.

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review, the Department recommended to the Commission that the new petition be accepted. On April 7, 1994, the Commission designated the coho salmon south of San Francisco Bay a candidate species, starting the one-year review process by the Department. Based on this review, the Department recommended that coho salmon south of San Francisco Bay be listed as endangered. The commission accepted the recommendation and listed those coho salmon as endangered, effective December 31, 1995.

Federal Coho Salmon Listing Actions

Coho salmon in California, Oregon, Washington, and Idaho were petitioned for listing under the federal Endangered Species Act (ESA) by Oregon Trout, Pacific Rivers Council, and others in 1993. National Marine Fisheries Service (NMFS) identified six Evolutionarily Significant Units (ESU) of coho salmon in California, Oregon, and Washington. The ESUs in California are the Central California Coast Coho ESU (CCC Coho ESU) and the Southern Oregon/ Northern California Coasts Coho ESU (SONCC Coho ESU). The CCC Coho ESU extends from the San Lorenzo River in Santa Cruz county north to Punta Gorda in Humboldt county (Federal Register 1996). The SONCC Coho ESU begins at Punta Gorda and extends north into Oregon to Cape Blanco (Federal Register 1997). The CCC Coho ESU and SONCC Coho ESU were listed as threatened on December 2, 1996 and June 5 1997, respectively (Federal Register 1996, 1997).

The status of California coho salmon populations was recently reviewed and updated by NMFS Southwest Fisheries Science Center (NMFS 2001a). This status review update agrees with previous conclusions of the NMFS Biological Review Team: the CCC Coho ESU is presently in danger of extinction² and the condition of coho salmon is worse than indicated by previous reviews; and the California portion of the SONCC Coho ESU is likely to become endangered in the foreseeable future. It is important to note that the ESA defines an endangered species as any species “....which is in danger of extinction throughout all or a significant portion of its range....”. Thus, the ESA listing decision for the CCC Coho ESU does not reflect the conclusions of the NMFS Biological Review Team or the Southwest Fisheries Science Center.

As a result of a recent court decision and petitions to delist several ESUs, NMFS is presently updating status reviews and revisiting listing determinations for all salmon and steelhead ESUs that have one or more hatchery populations included in the ESU. This includes both the CCC and SONCC Coho ESUs.

² Extinction can be used to describe loss of all living members of a species, or more localized losses of geographic units smaller than the entire species. Extinction is used in this document to describe losses at various subspecific levels such as local geographic groups, populations, watersheds, runs, ESUs (or portions of them), and/or across the species range in California. The Department has qualified the term extinction in the text in an effort to make clear which level is being discussed.

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